

# **EXHIBIT 3**

**From:** Patrick Markey  
**Sent:** Friday, July 13, 2012 12:05 PM  
**To:** 'Nate Olin' ([nolin@cmolawyers.com](mailto:nolin@cmolawyers.com)); Jeffrey S. Morneau ([jmorneau@cmolawyers.com](mailto:jmorneau@cmolawyers.com))  
**Cc:** Justin E. Klein ([jklein@ssbb.com](mailto:jklein@ssbb.com))  
**Subject:** Bagg v. Highbeam

Jeff and Nate:

Client will not agree to the voluntary transfer to N.D. Illinois that you proposed. Please let me know whether you would like to conduct further formal discovery under the Judge's order on the motion to dismiss. As we discussed, we would be happy to provide an affidavit instead of formal discovery if you would prefer. If you don't require further discovery of any type, please let me know so that we can move forward on the motion to dismiss.

Pat

Patrick J. Markey, Esq.  
**O'SHEA GETZ PC**  
1500 Main Street  
Suite 912  
Springfield, MA 01115  
Tel: 413-731-3100 ext 104  
Direct: 413-272-0504  
Fax: 413-731-3101

[pmarkey@osheagetz.com](mailto:pmarkey@osheagetz.com)  
[www.osheagetz.com](http://www.osheagetz.com)

\*\*\*\*\*

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

\*\*\*\*\*